Writ Petition No. 801 of 2001

Nagar Palika Parishad, Jaspur …….. Petitioner

Versus

State of Uttaranchal and others ……. Respondents

……..

Hon. P.C. Verma, J.
Hon. M.C. Jain, J.

This petition has been filed by the Chairman, Nagar Palika Parishad, Jaspur, against the cancellation of the transfer of the respondent no.3 by the respondent no.1 vide order dated 4.8.2001 (Annexure 1 to the writ petition) and for a writ order or direction in the nature of mandamus directing the respondent no.1 to transfer the respondent no.3 to any other municipality forthwith.

The transfer of the respondent no.3 is governed by U.P.Palika (Centralised) Service Rules, 1966. In the present case, the aggrieved person has not challenged the transfer cancellation order. The petitioner is not an aggrieved person. The present petition has been filed by the Chairman, Nagar Palika, Jaspur. Since it is not filed by the aggrieved person, therefore, in view of the law laid down by the apex Court in Krishna Swamy Vs. Union of India, A.I.R. 1993 SC 1407 this writ petition can not be entertained.

The writ petition is dismissed accordingly.

(P.C. Verma, J.) **(M.C. Jain, J.)**

Dt. 27.8.2001
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